

ASSEMBLY BILL

No. 213

Introduced by Assembly Member Leslie

January 29, 2003

An act to add Section 11713.65 to the Vehicle Code, relating to vehicle dealers.

LEGISLATIVE COUNSEL'S DIGEST

AB 213, as introduced, Leslie. Vehicle dealers: disclosure.

Existing law sets forth various provisions governing vehicle dealers. Those provisions include the requirement that dealers disclose specified information to buyers of motor vehicles.

This bill would add to those provisions to make it unlawful and a violation of the Vehicle Code for a dealer to fail to disclose in writing to the buyer or lessee of a motor vehicle that the vehicle is equipped with one or more recording devices, as defined by this bill. The bill, therefore, would create a new crime, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11713.65 is added to the Vehicle Code,
2 to read:

3 11713.65. (a) It is unlawful and a violation of this code for the
4 holder of a dealer's license issued under this article to fail to
5 disclose in writing to the buyer or lessee of a motor vehicle that the
6 vehicle is equipped with one or more recording devices commonly
7 referred to as "sensing and diagnostic modules (SDM)" or "black
8 boxes."

9 (b) As used in this section, "recording devices" means any
10 device that does one or more of the following:

11 (1) Records how fast and in which direction the motor vehicle
12 is traveling.

13 (2) Records a history of where the motor vehicle travels.

14 (3) Records steering performance.

15 (4) Records brake performance, including, but not limited to,
16 whether brakes were applied before an accident.

17 (5) Records the driver's seat belt status.

18 (6) Has the ability to transmit information concerning an
19 accident in which the motor vehicle has been involved to a central
20 communications system at the moment the accident occurs.

21 SEC. 2. No reimbursement is required by this act pursuant to
22 Section 6 of Article XIII B of the California Constitution because
23 the only costs that may be incurred by a local agency or school
24 district will be incurred because this act creates a new crime or
25 infraction, eliminates a crime or infraction, or changes the penalty
26 for a crime or infraction, within the meaning of Section 17556 of
27 the Government Code, or changes the definition of a crime within
28 the meaning of Section 6 of Article XIII B of the California
29 Constitution.

